

BOARD OF APPEALS CASE NO. 4807

*

BEFORE THE

APPLICANT: David Pellegrino

*

ZONING HEARING EXAMINER

**REQUEST: Variance to permit an existing
shed located within the front yard setback;
906 Buckland Place, Bel Air**

*

OF HARFORD COUNTY

*

Hearing Advertised

*

Aegis: 4/8/98 & 4/15/98

HEARING DATE: September 9, 1998

*

Record: 4/10/98 & 4/17/98

* * * * *

ZONING HEARING EXAMINER'S DECISION

The Applicant, David Pellegrino, appeared before the Hearing Examiner requesting a variance to Section 267-36(B), Table V, of the Harford County Code, to permit a shed within the required 30 foot front yard setback in an R2/COS District.

The subject parcel is located at 906 Buckland Place in the Third Election District. The property is also identified as Parcel No. 397, on Tax Map 41, in Grid 4-D. The parcel contains .0848 acres, more or less, all of which is zoned R2/COS.

This matter originally came before the Hearing Examiner on June 10, 1998, and there was a question as to whether the property was properly posted; therefore, the case was postponed until September 9, 1998, and the property was reposted.

Mr. David Pellegrino appeared and testified that he is requesting a variance to allow an existing storage shed to remain 28 feet from the front property line. Mr. Pellegrino said that the subject parcel is unique because it has frontage on Crescent Knoll Drive and Buckland Place. The witness said because the property has two front yards, he must comply with a front yard setback from both Buckland Place and Crescent Knoll Drive and, therefore, the usable area on the parcel is encumbered. The witness said he did not feel approval of the variance would be substantially detrimental to adjacent properties or materially impair the purpose of the Code because there are other storage buildings in the neighborhood for which variances have been granted.

The Staff Report of the Department of Planning and Zoning recommends conditional approval.

Case No. 4807 - David Pellegrino

CONCLUSION:

The Applicant is requesting a variance to Section 267-36(B), Table V, of the Harford County Code, which requires a 30 foot front yard setback. The Applicant testified that the shed is currently located 28 feet from the front property line and he is, therefore, requesting a 2 foot area variance. The Applicant said the property is unique because it has frontage on Buckland Place and Crescent Knoll Drive and consequently, he is required to maintain 2 front yard setbacks. The Applicant also said he did not feel the variance would be substantially detrimental to adjacent properties because there are other sheds in the neighborhood for which variances to the required setbacks have been granted.

It is the finding of the Hearing Examiner that the subject parcel is unique for the reasons stated by the Applicant in his testimony and, further, that approval of the variance will not be detrimental to adjacent properties or materially impair the purpose of the Code.

Therefore, it is the recommendation of the Hearing Examiner that the requested variance be granted, subject to the condition that the Applicant obtain necessary permits and inspections for the shed.

Date OCTOBER 9, 1998

L. A. Hinderhofer
Zoning Hearing Examiner